

NOV 12 2009

Dkt. 0687/74768-BA-PCT-US/JPW/GJG/MJP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Michael Wayne Graham and Robert Norman Rice
Serial No. : 10/646,070 Examiner : Whiteman, Brian A.
Filed : August 22, 2003 Art Unit : 1635
For : CONTROL OF GENE EXPRESSION

30 Rockefeller Plaza
20TH Floor
New York, New York 10112
November 11, 2009

BY FACSIMILE 571-273-8300; Total Pages: 8
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

COMMUNICATION FORWARDING TERMINAL DISCLAIMER

This Communication is submitted in response to a November 9, 2009 telephonic request by Examiner Brian A. Whiteman to file a Terminal Disclaimer in the above-identified application over U.S. Patent No. 6,573,099, issued June 3, 2003. Applicants attach hereto as Exhibit A a Terminal Disclaimer signed by an authorized representative of Commonwealth Scientific And Industrial Research Organisation, the sole assignee of record of both the subject application and U.S. Patent No. 6,573,099. In accordance with 37 C.F.R. §1.321(b), the Terminal Disclaimer submitted herewith as Exhibit A specifies the portion of the term of the patent being disclaimed and states the present extent of the assignee's ownership interest in the patent to be granted. The filing of a Terminal Disclaimer requires a ONE-HUNDRED AND FORTY DOLLAR (\$140.00) fee as set forth in 37 C.F.R. §1.20(d) and authorization is hereby given to charge the amount of such fee to Deposit Account No. 03-3125. Accordingly, applicants maintain that the Terminal Disclaimer submitted herewith complies with the

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requirements of 37 C.F.R. §1.321(b).

Based on the submission of the enclosed Terminal Disclaimer, applicants understand that this application is in condition for allowance and look forward to the issuance of a notice of allowance.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone him at the number provided below.

No fee, other than the \$140.00 for the Terminal Disclaimer, is deemed necessary in connection with the filing of this Communication. However, if any additional fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,

I hereby certify that this correspondence is being transmitted on this date by facsimile to:	
USPTO Central Fax No. (571) 273-8300	
And is addressed to:	
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<i>Gary J. Gershik</i> Gary J. Gershik Reg. No. 39,992	<i>11/11/09</i> Date

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